

## LISTING OF CLAIMS

This Listing of Claims will replace all prior versions and Listings of Claims in the application:

1 (Currently Amended). An article of apparel for moderating a body temperature of an individual, the article of apparel comprising:

a torso region ~~for covering at least a portion of a torso of the individual, the torso region~~ having a chest area, a back area opposite the chest area, two opposing side areas that interconnect at least one side of the back area with at least one side of the chest area, and a pair of shoulder areas that interconnect the top side of the chest area with the top side of the back area, wherein the chest area, the back area, the two opposing side areas, and the shoulder areas define a space for receiving the torso of the individual; ~~a chest area corresponding with a chest of the individual, a back area corresponding with a back of the individual, a pair of side areas corresponding with sides of the individual, and a pair of shoulder areas corresponding with shoulders of the individual;~~

a plurality of cavities distributed throughout the torso region, the cavities being positioned in the chest area, in the back area, around each of the side areas, and at or near the top of the shoulder areas, wherein the plurality of cavities includes a first cavity positioned in a first of the opposing side areas, the first cavity extending that extends around a first side of the torso region and a second cavity positioned in a second of the opposing side areas, the second cavity extending that extends around a second side of the torso region; and

a fitting system extending at least partially around the torso region to ensure contact between the individual and at least one of the chest area, the back area, and the side areas.

2 (Original). The article of apparel recited in claim 1, wherein the apparel has a

configuration of a vest.

3 (Original). The article of apparel recited in claim 1, wherein a plurality of thermal inserts are positioned in the cavities.

4 (Original). The article of apparel recited in claim 3, wherein the thermal inserts are bladders that enclose a fluid.

5 (Original). The article of apparel recited in claim 4, wherein the thermal inserts include at least two chambers, each of the chambers including a portion of the fluid.

6 (Original). The article of apparel recited in claim 3, wherein the thermal inserts are bladders that enclose water.

7 (Original). The article of apparel recited in claim 1, further including a closable access opening extending in a substantially vertical direction through at least one of the chest area and the back area.

8 (Original). The article of apparel recited in claim 1, further including instructions for utilizing the article of apparel.

9 (Original). The article of apparel recited in claim 8, wherein the instructions are permanently secured to the article of apparel.

10 (Original). The article of apparel recited in claim 8, wherein the instructions are

permanently secured to an interior surface of the article of apparel.

11 (Original). The article of apparel recited in claim 8, wherein the instructions are pictorial representations for utilizing the article of apparel.

12 (Currently Amended). An article of apparel for moderating a body temperature of an individual, the article of apparel comprising:

a torso region ~~for covering at least a portion of a torso of the individual, the torso region~~ having a chest area, a back area opposite the chest area, and two opposing side areas that interconnect at least one side of the back area with at least one side of the chest area, wherein the chest area, the back area, and the two opposing side areas define a space for receiving the torso of the individual; ~~a chest area corresponding with a chest of the individual, a back area corresponding with a back of the individual and a pair of side areas corresponding with sides of the individual;~~

a plurality of cavities distributed throughout the torso region, the cavities being positioned in the chest area, back area, and around each of the side areas, wherein the plurality of cavities includes a first cavity positioned in a first of the opposing side areas, the first cavity extending ~~that extends~~ around a first side of the torso region and a second cavity positioned in a second of the opposing side areas, the second cavity extending ~~that extends~~ around a second side of the torso region; and

instructions for utilizing the article of apparel, the instructions being permanently secured to the article of apparel.

13 (Original). The article of apparel recited in claim 12, wherein the apparel has a configuration of a vest.

14 (Original). The article of apparel recited in claim 12, wherein a plurality of thermal inserts are positioned in the cavities.

15 (Original). The article of apparel recited in claim 14, wherein the thermal inserts are bladders that enclose a fluid.

16 (Original). The article of apparel recited in claim 15, wherein the thermal inserts include at least two chambers, each of the chambers including a portion of the fluid.

17 (Original). The article of apparel recited in claim 14, wherein the thermal inserts are bladders that enclose water.

18 (Currently Amended). The article of apparel recited in claim 12, wherein the torso region includes a pair of shoulder areas that interconnect the top side of the chest area and the top side of the back area ~~with shoulders of the individual~~.

19 (Original). The article of apparel recited in claim 18, wherein a portion of the cavities are positioned in the shoulder areas.

20 (Original). The article of apparel recited in claim 12, further including a fitting system extending at least partially around the torso region to ensure contact between the individual and at least one of the chest area, the back area, and the side areas.

21 (Original). The article of apparel recited in claim 12, further including a closable

access opening extending in a substantially vertical direction through at least one of the chest area and the back area.

22 (Original). The article of apparel recited in claim 12, wherein the instructions are permanently secured to an interior surface of the article of apparel.

23 (Original). The article of apparel recited in claim 12, wherein the instructions are pictorial representations for utilizing the article of apparel.

24 (Currently Amended). An article of apparel for moderating a body temperature of an individual, the article of apparel comprising:

~~a torso region for covering at least a portion of a torso of the individual, the torso region having a chest area, a back area opposite the chest area, two opposing side areas that interconnect at least one side of the back area with at least one side of the chest area, and a pair of shoulder areas that interconnect the top side of the chest area with the top side of the back area, wherein the chest area, the back area, the two opposing side areas, and the shoulder areas define a space for receiving the torso of the individual; a chest area corresponding with a chest of the individual, a back area corresponding with a back of the individual, and a pair of shoulder areas corresponding with shoulders of the individual; and a pair of side areas corresponding with sides of the individual;~~

a plurality of cavities distributed throughout the torso region, the cavities being positioned in the chest area, in the back area, around each of the side areas, and at or near the top of the shoulder areas, wherein the plurality of cavities includes a first cavity positioned in a first of the opposing side areas, the first cavity extending that extends around a first side of the torso region and a second cavity positioned in a second of the

opposing side areas, the second cavity extending ~~that extends~~ around a second side of the torso region;

a plurality of thermal inserts positioned in the cavities, the thermal inserts being bladders that enclose a fluid;

a fitting system extending at least partially around the torso region to ensure contact between the individual and at least one of the chest area, the back area, and the side areas; and

instructions for utilizing the article of apparel, the instructions being permanently secured to the article of apparel.

25 (Original). The article of apparel recited in claim 24, wherein the apparel has a configuration of a vest.

26 (Original). The article of apparel recited in claim 24, wherein the thermal inserts include at least two chambers, each of the chambers including a portion of the fluid.

27 (Original). The article of apparel recited in claim 24, wherein the fluid is water.

28 (Original). The article of apparel recited in claim 24, wherein the instructions are secured to an interior surface of the article of apparel.

29 (Original). The article of apparel recited in claim 24, wherein the instructions are pictorial representations for utilizing the article of apparel.

30 (Currently Amended). A method of moderating a body temperature of an

individual with an article of apparel, the method comprising steps of:

selecting the article of apparel to cover at least a torso of the individual, the article of apparel comprising: a torso region having a chest area, a back area opposite the chest area, and two opposing side areas that interconnect at least one side of the back area with at least one side of the chest area, wherein the chest area, the back area, and the two opposing side areas, define a space for receiving the torso of the individual;

refrigerating at least a portion of the article of apparel that includes cooling a plurality of inserts that are positioned within cavities in the article of apparel so that at least one of the cavities is positioned ~~in to extend around~~ each of the opposing side areas of the torso region;

wearing the article of apparel during a first period of time and a second period of time, the first period of time involving a sedentary activity, and the second period of time involving a non-sedentary activity; and

removing the article of apparel prior to engaging in further activities.

31 (Canceled).

32 (Previously Presented). The method recited in claim 30, wherein the inserts are fluid-filled bladders.

33 (Canceled).

34 (Currently Amended). An article of apparel for moderating a body temperature of an individual, the article of apparel comprising:

a torso region for covering at least a portion of a torso of the individual, having a

chest area, a back area opposite the chest area, and two opposing side areas that interconnect at least one side of the back area with at least one side of the chest area, wherein the chest area, the back area, and the two opposing side areas define a space for receiving the torso of the individual;

a plurality of cavities distributed throughout the torso region, wherein the plurality of cavities includes a first cavity positioned in a first of the opposing side areas, the first cavity extending that extends around a first side of the torso region and a second cavity positioned in a second of the opposing side areas, the second cavity extending that extends around a second side of the torso region;

a plurality of thermal inserts that are positioned in the cavities; and

instructions for utilizing the article of apparel, the instructions being permanently secured to the article of apparel, and the instructions directing the individual to:

refrigerate at least a portion of the article of apparel;

wear the article of apparel during a first period of time and a second period of time, the first period of time involving a sedentary activity, and the second period of time involving a non-sedentary activity; and

remove the article of apparel prior to engaging in further activities.

35 (Original). The article of apparel recited in claim 34, wherein the apparel has a configuration of a vest.

36 (Original). The article of apparel recited in claim 34, wherein the thermal inserts are bladders that enclose a fluid.

37 (Original). The article of apparel recited in claim 36, wherein the fluid is water.



38 (Original). The article of apparel recited in claim 34, further including a fitting system extending at least partially around the torso region to ensure contact between the individual and the torso region.

39 (Original). The article of apparel recited in claim 34, wherein the instructions are permanently secured to an interior surface of the article of apparel.

40 (Original). The article of apparel recited in claim 34, wherein the instructions are pictorial representations for utilizing the article of apparel.

41 (Currently Amended). An article of apparel for moderating a body temperature of an individual, the article of apparel comprising:

a torso region for covering at least a portion of a torso of the individual, the torso region having a chest area, a back area opposite the chest area, two opposing side areas that interconnect at least one side of the back area with at least one side of the chest area, and a pair of shoulder areas that interconnect the top side of the chest area with the top side of the back area, wherein the chest area, the back area, the two opposing side areas, and the shoulder areas define a space for receiving the torso of the individual; ~~a chest area corresponding with a chest of the individual, a back area corresponding with a back of the individual, a pair of side areas corresponding with sides of the individual, and a pair of shoulder areas corresponding with shoulders of the individual;~~

a plurality of thermal inserts distributed throughout the torso region, the thermal inserts being positioned in the chest area, in the back area, ~~around~~ in each of the opposing side areas, and at or near the top of the shoulder areas, at least one of the thermal inserts

extending around a first side of the torso region; and

a fitting system extending at least partially around the torso region to ensure contact between the individual and at least one of the chest area, the back area, and the side areas.

42 (Original). The article of apparel recited in claim 41, wherein the apparel has a configuration of a vest.

43 (Original). The article of apparel recited in claim 41, wherein the thermal inserts are bladders that enclose a fluid.

44 (Original). The article of apparel recited in claim 43, wherein the thermal inserts include at least two chambers, each of the chambers including a portion of the fluid.

45 (Original). The article of apparel recited in claim 41, wherein the thermal inserts are bladders that enclose water.

46 (Original). The article of apparel recited in claim 41, further including instructions for utilizing the article of apparel.

47 (Original). The article of apparel recited in claim 46, wherein the instructions are permanently secured to the article of apparel.

48 (Original). The article of apparel recited in claim 46, wherein the instructions are pictorial representations for utilizing the article of apparel.